

THIS ARTICLE.

36.

Each employer (employee) (or in the case of death his family or dependents) entitled to receive compensation under this article shall receive the same in accordance with the following schedule and except as in this article otherwise provided, such payments shall be in lieu of any and all rights of action whatsoever against any person whomsoever.

(8) (f) If there be no dependents, the disbursements shall be limited to the expense provided for in §37 hereof. IN ADDITION TO THESE DISBURSEMENTS, ALL INSURED AND SELF-INSURED EMPLOYERS ARE SUBJECT TO ASSESSMENTS AS PROVIDED IN §91(E) OF THIS ARTICLE.

91.

(E) (1) IF THE COMMISSION DETERMINES THAT PAYMENT OF COMPENSATION AWARDED OR LIKELY TO BE AWARDED AGAINST AN INSURED OR SELF-INSURED EMPLOYER IS NOT AWARDED OR IS ABATED BECAUSE OF DEATH OR LACK OF A CLAIMANT ELIGIBLE FOR THE COMPENSATION, THE COMMISSION SHALL LEVY AGAINST THE AWARD AN ASSESSMENT TO SUPPLEMENT THE FUND. THE ASSESSMENT MAY NOT EXCEED THE GREATER OF THE AMOUNT OF \$4,500 OR SHALL BE EQUAL TO 10 PERCENT OF THE AMOUNT OF COMPENSATION AWARDED OR LIKELY TO BE AWARDED AND UNPAID, BUT IN NO CASE SHALL THE ASSESSMENT EXCEED \$4,500.

(2) IF AN EMPLOYEE DIES AS A RESULT OF AN ACCIDENTAL INJURY OR OCCUPATIONAL DISEASE THAT ARISES OUT OF AND IN THE COURSE OF HIS EMPLOYMENT AND WITHOUT ANY SURVIVING DEPENDENT, THE COMMISSION ON EXPIRATION OF THE TIME PERIOD WITHIN WHICH A CLAIM MAY BE FILED UNDER THIS ARTICLE, SHALL ASSESS THE INSURER OR SELF-INSURED EMPLOYEE \$4,500.

(3) THIS SUBSECTION DOES NOT APPLY TO ANY AWARD AGAINST THE SUBSEQUENT INJURY FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved April 11, 1978.

CHAPTER 119

(House Bill 355)

AN ACT concerning

Income Tax - Historic Property